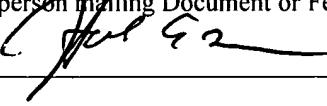




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Signature

November 9, 2005
Date of Signature

Re: Application of: Soemo et al.
Serial No.: 09/966,738
Filed: September 28, 2001
For: A Proprietary Protocol for a System
Controller for Controlling Device
Controllers on a Network Having an Open
Communication Protocol
Group Art Unit: 2142
Examiner: Cheryl M. Reid
Our Docket No.: 1867-0084
Siemens Docket No.: 2001P18038US

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision set forth in the Official Action mailed July 9, 2005, in which the Examiner finally rejected claims 1-51.

11/15/2005 TBESHAW1 00000009 09966738

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Commissioner for Patents

October 28, 2005

Page 2

Enclosed please find a check in the amount of \$500.00 to cover the filing fee of a Notice of Appeal as required by 37 C.F.R. § 1.17(e). Please charge any deficiency, or credit any overpayment to Deposit Account No. 13-0014.

Respectfully Submitted,



Harold C. Moore
Attorney for Applicant
Registration No. 37,892
Maginot, Moore & Beck
Bank One Tower/Center
111 Monument Circle, Suite 3000
Indianapolis, IN 46204-5115
(317) 638-2922

November 9, 2005



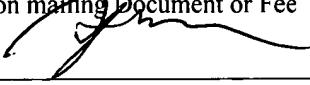
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TRANSMITTAL OF NOTICE OF APPEAL

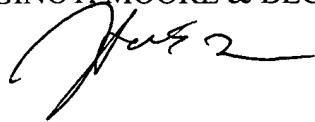
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1. Notice of Appeal;
2. One (1) return post card; and
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Please charge any fee deficiency, or credit any overpayment, to Deposit Account No. 13-0014; but not to include any payment of issue fees.

Respectfully Submitted,

MAGINOT, MOORE & BECK



November 9, 2005

Harold C. Moore
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Indianapolis, Indiana 46204-5115

Enclosures